

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIENAN C. DIETRICH,

Defendant.

4:13CR3087

DETENTION ORDER

Prior to the hearing held today, the defendant provided the court with an affidavit stating he “may choose to comply with the laws which others attempt to impose upon [him], but no such “laws,” nor their “enforcers,” have any authority over [him].” See court exhibit 3, ¶ 4. In another submission, he claims the right to travel wherever he wants and to exercise his right to possess unlicensed firearms and ammunition. See court exhibit 1, pp. 4-5. These statements are contrary to the order setting conditions of the defendant’s release and are directly contrary to the defendant’s statements, made under oath, at his release and detention hearing.

During the hearing today, the defendant refused to acknowledge that he was subject to the court’s authority and orders, and repeatedly claimed he did not know what a court order was. When the court advised that this case would be set for trial, he immediately stated that he would not consent to a trial setting.

Accordingly, based on the defendant’s recent submissions, his statements during the hearing, and his refusal to listen to his attorney or this court, the court finds by clear and convincing evidence that defendant’s release would pose a serious risk of defendant’s nonappearance at court proceedings, and a risk that he will not comply with the order setting conditions of pretrial release, and no condition or combination of conditions of release will sufficiently ameliorate that risk

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

September 25, 2013.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge